1

CLASS B

App. F. IX—4-

Previous Reference-

(1964 FEB)

File No. AFD 40

Serial Nos. FAF64.

Later References-

Agriculture & Forest Department.

THE MYSORE GOVERNMENT SECRETARIAT

Serial Nos.-

[illegible] B for

SUBJECT

Control over private S.M. 40

7 Kallapur Tq. Kalghatagi

[illegible] GPB—2,00,000—1-6-61

FOR/NOT FOR NOTE BOOK
UNDER SECRETARY
M. N. Ansari
20/11/64
for Under Secretary to Govt.

18/12/64 Fwd
22/9/64

1.12.64

ಸಿ.ಎಂ.ಬಿಜ್ಜಳ್ಳಿ ಕ್ಷೇತ್ರ
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿ
ಶಾಸ್ತ್ರ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)

Mysore Government Secretariat

AED File No. 40 FAF of 1964. [App. F. III 2

Serial No.

O. No. 812/64.

The c.o.p. has subd., proposals recd., from the C.F., Belgaum & has reported that S. No. 40 of Kallapur village, Khalgatgi Tq., Dharwar Dt., was notified u/s 35(1) of the S. F. A., 1924 by the erstwhile Bombay Govt., but the owner of the S. No. 40 Sri. Gangappa Ragappa Tiralpur of Begur has now requested to withdraw the notify. & to allow him to cultivate the land which comprises of an area of 13-36-0. It is also reported that this area is surrounded on all the sides with malki lands. In about 2 or 3 acres there is sparse tree growth & the

Note.—Contn. Sheet

File No. of 196 Mysore Government Secretariat

Serial No.

remaining area is blank. The ccf has therefore requested to cancel the notifn issued by the erstwhile Bombay Govt. u/s 35(1) of the I.F.A.

But it can be (2)
stated here that the erstwhile Bombay Govt might have issued the notifn u/s 35(1) only after satisfying all the formalities to be observed, but not otherwise. Also, the notifn no. PRF 2355/4221-J dt 31-1-1955 is not available along with other papers sub'd. by the ccf to Govt. Hence before we take further action

WD-010154-GPB-PZS-8,00,000-1-10-61

Control over private S. No. 40 of Kallapura

Mysore Government Secretariat

[App. F. III 2

AFD File No. 40 FAF of 1964

Serial No.	
	we may address the c.c.f to send a copy of the notifn referred to above. Off put up.
2	5 c/7
3)	RR 1/8/2 Hg 20/2.
	Issue JBR 21/2/64 (T. S. RAMAIYA), Under Secretary to Government, Agriculture & Forest Department.
	ISSUED Date 24.2.1964
	D. No. 3220/64.
4	4 c/7
4)	The c.c.f has sent a copy of the notifn issued on 31-1-1955 u/s 35(1) of the I.F.A., as desired in G.L. of 24-2-1964.
11	11 c/7
5)	On the first instance R.D may pl. see the proposal of the c.c.f for remarks, if any.
	RR 31/7 R.D) JBR 3/8/64 (T. S. RAMAIYA), Under Secretary to Government, Agriculture & Forest Department.
	6) R.D agrees to the proposal of the C.C.F.
	7)

No. 4160 dated 1964

No. 3892/F2 Note.—Comm. Sheet 4 AUG 1964 52 C.

MYSORE GOVERNMENT SECRETARIAT — REVENUE DEPT. (D SECTION)

JBR 14/8/64 — 5/8/64 — 7-8-64 — 13/8/64 — 11-8-64

Deputy Secretary to Government, Revenue Department

Control over private Forest — Cancellation of

AED File No. 40 FAE of 1964

Mysore Government Secretariat

Serial No.

8) R.D has agreed to the proposal of the ccf. For orders, whether we may agree to the proposal of the ccf.

DR

9) Please put up a draft G.O.

K 20/8

19/8

DR
27/8/64
(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture & Forest Department.

AGRICULTURE & FOREST SEC.
No .....
10 SEP 1964
GOVERNMENT OF MYSORE

10) Draft G.O. as per the proposal of the ccf is put up.

DR

30/8

K 31/8

11) Since according to C.C.F the area is not suited for the activities of the Dept- we may agree for the Cancellation of the notification issued in this behalf by the erstwhile Bombay Govt- under Sec 3.5(1) of I.F.A

Draft- may be approved.

AGRICULTURE & FOREST SEC.
5686
3 SEP 1964
GOVERNMENT OF MYSORE

DEPUTY SECRETARY TO GOVT.
No.....
2-SEP 1964
AGRICULTURE & FOREST DEPTT.

V. M. LINGIAH,
Deputy Secretary,
Agriculture and Forest Department.

DS

2.9.

DR
2/9/64.
(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture & Forest Department.

may be approved

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & FISHERIES
No. F. 1776/64
4 SEP 1964
BANGALORE.

WD-010154—GPB—P2S—8,00,000—1-10-61

Sec'y

4/9/64

Minister for Forests

BR 9.9.64

G. S. SRINIVASAN,
Agri. & Forest Dept.

S. AED

Mysore Government Secretariat | File No. of 196 | [App. F. III 2

Serial No.

Issue

BR

ISSUED

Date 21-9-1964

14/9/64

(T. S. RAMAIYA),
Under Secretary to Government,
Agriculture & Forest Department.

B

22/9/64

Note.—Contn. Sheet

No.B-6-G1-24863/63.

CHIEF CONSERVATOR'S OFFICE
BANGALORE: DATED: FEB. 1964.

AFD 40 FAF 64

To

Sir C.

The Secretary to Government
Agriculture and Forest Department
Bangalore.

Sir,

Sub:-Control over private Forest Survey No.40 of Kallapur, Taluka - Kalghatgi, District - Dharwar.

- - - -

I enclose herewith a copy of letter No.FOP-FST-1270-2/63-64 dated 4-12-63 with its accompaniment received from the Conservator of Forests Belgaum for favour of perusal.

The Survey No. 40 of Kallapur Village in Kalghatagi Taluka - District Dharwar was notified under Section 35 (1) of the Indian Forest Act 1927 by the erstwhile Bombay State under No.PRF 2355/4221-J dated 31-1-1955. The owner of the Survey No. Shri Gangappa Nagappa Tirlapur of Begur now requests to withdraw the notification and to allow him to cultivate the land. The total area of the Survey No. 40 is 13 Acres - 36 gunthas. It is surrounded by Malki Lands on two sides which are under cultivation. In about 2 or 3 acres there is sparce tree-growth the remaining area is blank and is fit for cultivation. The land is flat and the removal of the tree-growth will not lead to soil erosion. The Divisional Forest Officer Dharwar reports that there is no point in retaining the survey No. under the control of this Department when there is keen demand for cultivation and the Conservator of Forests Belgaum concurs with his opinion.

Government may therefore, kindly be moved to cancel the notification under Section 35 (1) of the Indian Forest Act issued by the Bombay Government. If the proposed is accepted, the Conservator of Forests Belgaum will be requested to submit draft notification rescinding the notification. The accompaniments may kindly be returned after perusal.

Yours faithfully,

CHIEF CONSERVATOR OF FORESTS.

No.FCP/FST/1270/2/63-64. Belgaum, 4 December,63.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Subject:-Request of Shri.Gangappa Nagappa Tirlapur for grant of F.Sy.No.40 of Kallapur for cultivation notified under Section 35(1) of I.F.A.1927.

I am submitting herewith letter No.FCP/FST/67-2 of 28-9-1963 of the Divisional Forest Officer, Dharwar, in duplicate for favour of perusal. The D.F.O., proposes to withdraw the above Sy.No. from the operation of Section 35(1) of the I.F.A. 1927 in view of the fact that the Sy.No. in question adjoins cultivated lands and there is no fear of soil erosion, if cultivation is permitted, I agree with the observations of the D.F.O.

If the proposals are accepted, the D.F.O., will be asked to submit draft notification rescinding the notification already issued under section 35(1) of the Indian Forest Act, 1927 in the matter.

Yours faithfully,

D. Nanjundappa

(D.Nanjundappa) 3/12
Conservator of Forests,
Belgaum Circle.

9

3

LETTER.

To

The Conservator of Forests,
Belgaum Circle, Belgaum.

No.FOP/FST/67/2/63-64. Dharwar, 27-9-1963.

Subject: Request of Shri Gangappa Nagappa Tirlapur for grant of F.Sy.No.40 of ~~Begur~~ Kallapur for cultivation notified under Section 35(1) of I.F.A.1927.

Ref: Your No.FOP/GFL/DWR/395/63-64 dated 21-5-1963.

2. Sy.No.40 of Kallapur Taluka, Kalghatgi has been notified under Section 35(1) of the Indian Forest Act as per Bombay Government Notification No.PRF 2355/4221-J of 31-1-1955. The owner of the Sy.No. Shri Gangappa Nagappa Tirlapur of Begur requests to withdraw the notification and to allow him to cultivate the land.

3. The total area of the Sy.No. is 13Acres and 36 Gunthas The Sy.No. in question is suprounded by Malki lands on two sides which are under cultivation and on two sides it touches Government Forest. Most of the fallow lands in this tract have been brought under cultivation ~~xikkdx~~ in this locality and the adjoining lands are under cultivation. Moreover the land in question contains loamy soil. Variety of agricultural crops can be grown on this land. In about 2 or 3 acres there is sparse treegrowth of inferior species like Muttal, Gojjal, Neeral and Nandi trees. A few young Sandalwood trees are stated to be standing in the said Sy.No. Apart from this, about 5 Teak trees there which are stated to be hollow. The remaining area of the Sy.No. is blank and fit for cultivation. Since the Sy.No. is flat and it will not lead soil erosion, if it is given out for cultivation.

4. The applicant states that he could not bring the land under cultivation in the past as he was the only person to look after his family. Now his sons are grown up and are able to cultivate the land. He has no cultivable lands except 2 acres in his village Begur.

5. According to para I(ii) of Government A.& F.D.letter of PRF 1353/7910-J of 5-3-196 5-3-1955, if the owner of Forest land desires to bring it under cultivation after issue of notification regarding its use, the Forest Department need not ordinarily object unless cultivation would lead to serious soil erosion. In the present case, there is no fear of soil erosion as the land is flat.

6. In view of the facts explained above, there is no point in keeping the Sy.No. under the provision of the Section 35 of of the I.F.A. When there is keen demand for lands for cultivation, and when we do not release any forest lands for cultivation, it is necessary that private lands which are fit for cultivation should not be withheld from cultivation. I recommend that the Government may kindly be moved to cancel the notifiéation No.2355/4221-J dated 31-1-1955 issued by the Govt. of Bombay and so that the owner may ~~he~~ undertake cultivation in the Sy.No.

(.....2

The application received is enclosed herewith for favour of ~~xxxx~~ perusal.

28/9/63

(K. S. UDDEYAR)
Divisional Forest Officer,
Dharwar Division, Dharwar.

SAB/-.27-9.

5

Appendix F. G.—1]

SUBJECT ..... p.i.c.l. .....

.....

.....

Diary No. of letter replied to..... .....

Section AT-D

File No. 40

Serial No. FAF. 64

Mysore Government Secretariat.

( )

the 196.

N.

To

C e P

Date of issue.....

Signed by..... .. ..

ISSUED

Date 24.2.1964

w/r to your letter no. Mo. Gl-24863/63 dt 13-2-1964, on the above subject, I am to request you to make available a copy of the notification no. PRF-2355/6221-T dt 1-1-1955

List of enclosures.....

Copied by.....

Examined by..... .....

under which the S.R.O.
he was notified ~~as~~
u/s 35(1) of the F.E.A, 1947
as the same not
available along with
other papers issued to Court
for order.
only after the
receipt of the ~~copy~~
same, further action
will be taken as this
end

A/7
M
A/C A+7

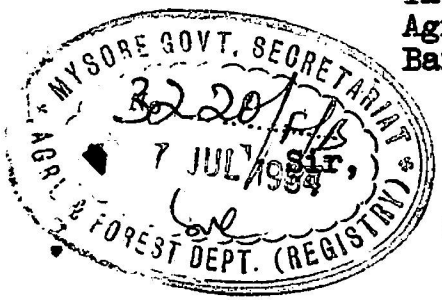
7 13

No. B-6-Gl-24863/63.
Enc. 2.

Chief Conservator's Office,
Bangalore, dated 6/7/1964.

To

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.



Sir,

Sub: Control over private forest S.No. 40 of Kallapur, Taluk Kalghatgi, District, Dharwar.

--

Ref: Government letter No. AFD 40 FAF 64 dated 24-2-1964.

--

A copy of the notification No. PRF-2355/4221-J dated 31-1-1955 issued under Section 35 (i) of the Indian Forest Act by the Government of Bombay is enclosed herewith, as desired.

7/7

Yours faithfully,

Chief Conservator of Forests,

7/7

14

No.FOP/FST/1270/2/63-64. Belgaum, 17th June, 1964.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Subject:-Control over private F.Sy.No.40 of
Kallapur, Taluka Kalghatgi, Dist.Dharwar.

Ref:-Your No.B6-G1.24863/63 dated 22/24-4-1964.

I submit herewith a copy of the Bombay Government Notification No.PRF-2355/422-J dated 31-1-1955 issued under section 35(1) of the Indian Forest Act (in duplicate) for favour of further action.

Yours faithfully,

D. Nanjundappa

(D.Nanjundappa) 17/6
Conservator of Forests,
Belgaum Circle.

4/15

AGRICULTURE AND FOREST DEPARTMENT.

Bombay Castle 31st January 1955

Indian Forest act-1927.

No. PRF 2355/4221-J- Whereas the Government of Bombay had issued a notice to Shri. Nagappa Addveppa, Tirlapur, post office Kalghatgi, the owner of the forest specified in the schedule hereto annexed to show cause why a notification under sub-section 1) of section 35 of the Indian forest act 1927 should not be issued prohibiting or regulating the acts specified in the notice.

And whereas no objections have been taken by the said owner to the issue of a notification:

And whereas it appears to the Government of Bombay that it is necessary-

a) for the conservation of trees and forests;
b) for the preservation and improvement of soil or the protection of land against erosion or the deposit thereon of sand stones or gravel;
c) for the improvement of grazing;
d) for the maintenance, increase and distribution of the supply of fodder, leaf manure, timber or fuel; and
e) for the preservation of the public health.

(A) to prohibit in the forests specified in the schedule appended hereto the following acts:-
a) the firing of clearing of the vegetation;
b) the girdling, tapping or burning of any tree of the strippling off the bark or leaves from any tree.
c) the lopping and pollarding of trees;
d) the cutting sawing, conversion and removal of trees and timber (except as provided under "B" below)

(B) to regulate in the forests specified in the schedule appended hereto the following acts in the manner specified hereunder.
a) the breaking up or cleaning of the land for cultivation. No portion of the land should be broken or cleaned either by ploughing or digging without the express permission of the Divisional Forest Officer.
b) the pasturing of cattle- Not more than eight bona-fida domestic cattle can graze over the area in the manner to be prescribed by the Divisional Forest Officer, if necessary.
c) the quarrying of stones or buring of lime or charcoal or collection of removel of any forest produce or its subjection to any mamufacturing process:- this action of the owner is prohibited for sale or barter.
d) the cutting, uprooting or removal of trees and timber. No tree standing over the area should be either cut or uprooted without the express permission of the Divisional Forest Officer; (Note-(a) dead wood either standing or fallen can be removed for pure domestic use; (b) "Tree" has the meaning as defined in section 2 of the Indian Forest act)

Now therefore in exercise of the powers conferred by sub-section (1) of se ction 35 of the Indian forest act-1927(XVI of 1927) in its application to the atate of Bombay the Govenrment of Bombay is pleased.-

P.T.O.

(A) to prohibit in the aforesaid forests the following acts:-

a) the firing or clearing of the vegetation.
b) the girdling, tapping or burning of any tree or the stripping off the bark or leaves from any tree.
c) the lopping and pollarding of trees;
d) the cutting, sowing conversion and removal of trees and timber (Except as provided under "B" below.

(B) to regulate in the aforesaid forests the following acts in the manner specified hereunder:-

(a) the breaking up or clearing of the land for cultivation. No portion of the land should be broken or cleared either by ploughing or digging without the express permission of the Divisional forest officer, if necessary.

b) the pasturing of cattle- Not more than twenty five bonafide domestic cattle can graze over the area in the manner to be prescribed by the Divisional Forest Officer, if necessary.

c) the quarrying of stones or burning of lime or charcoal or collection or removal of any forest produce or its subjection to any manufacturing process:- this action of the owner is prohibited for sale or barter.

d) the cutting, uprooting or removal of trees and timber. No tree standing over the area should be either cut or uprooted without the express permission of the Divisional Forest Officer;

(Note-(a) dead wood either standing or fallen can be removed for pure domestic use; (b) "Tree" has the meaning or defined in section 2 of the Indian forest act.

Schedule

District Dharwar, Taluka, Kalghatgi, Village, Kallapu

Survey No,	Area	Boundries. North	East	South	West
	A. G.				
40	13 -18	S.No.37	S.No.44,41 and 35	IX-40	Sy.No.38 IX-4
	0 -18	Pot Kharab.			

By order and in the name of the Governor of Bombay,

Sd/-

V. Isvaran.

Secretary to Government.

/COPY/

SSN/-

M. G. S. App. F VI—G. 2]

17 13 C/7

SUBJECT

1 C/7

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

( )

the .196 .

Proceedings of the Government of Mysore

Read—

Date of issue.....196

ISSUED

Signed by.....Date 21-9-1964.

Letter No. B6.GF-24863/63 Dt. 13-3-1964 from the CCF.

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Order thereon.—No.

AFD 40 FAF 64

Bangalore dated the

x P.11 C/F.

The CCF has reported that S.No.40 of Kallapur village, Kalghatgi Tq. Dharwar District was notified u/s.35(1) of the I.F.A., 1927 by the erstwhile Bombay Government under No. PRF.2355/42 21-J dated 31-1-1955. The owner of the S.No. Sri. Gangappa Nagappa Tirlapur of Begur now requests to withdraw the Notification and to allow him to cultivate the land. It is also reported that the total area of the S.No. is

13-36-0 acres and the same is ~~surrounded~~ surrounded on all two sides with malki lands which are under cultivation. In about 2 or 3 acres, there is sparce tree growth and the remaining area is barren and is fit for cultivation.

The CCF has requested to cancel the Notification u/s 35(1) of the I.F.A. issued by the Bombay Government.

ORDER

IN view of the recommendations made, Govt. are pleased to cancel the Notification u/s 35(1) of the I.F.A. issued by the erst-while Bombay Government.

The CCF is directed to take further action in the matter.

B.O. etc.,

JR

U.S., A&F

To

CCF (with accompaniments)

D.C., Dharwar

R.D.

W.G.,

List of Enclosures.

Copied by

Examined by

WD 09414—GPB—PZS—1,00,000—31-5-61

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub:- Control over private Forest Survey No.40 of Kallapur, Taluka - Kalghatgi, District - Dharwar.

ORDER NO: AFD 40 FAF 64

BANGALORE, DATED: 15th SEPTEMBER 1964.

Read:-

1. Letter No.B6.Gl.24863/63 dated 13-3-1964 from the Chief Conservator of Forests in Mysore, Bangalore.

Preamble:-

The Chief Conservator of Forests has reported that S.No.40 of Kallapur village, Kalghatgi taluk, Dharwar Dist., was notified under section 35(1) of the Indian Forest Act., 1927 by the erstwhile Bombay Government under No.PRF.2356/42-21-J dated 31-1-1955. The owner of the S.No.Sri Gangappa Nagappa Tirlapur of Begur now requests for withdrawal of the Notification and allow him to cultivate the land. It is also reported that the total area of the S.No.is 13-36-0 acres and the same is surrounded on all two sides with malki lands which are under cultivation. In about 2 or 3 acres, there is sparce tree growth and the remaining area is barren and is fit for cultivation.

The Chief Conservator of Forests has requested to cancel the Notification under section 35(1) of the Indian Forest Act issued by the Bombay Government.

ORDER.

In view of the recommendations made, Government are pleased to cancel the Notification under section 35(1) of the Indian Forest Act issued by the erst-while Bombay Government.

The Chief Conservator of Forests is directed to take further action in the matter.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE,

T.S.Ramaiya

(T.S.Ramaiya)

Under Secretary to Government,
Agriculture & Forest Department.

To
The Chief Conservator of Forests, B'lore (with accompaniments)
The Deputy Commissioner, Dharwar/ The Revenue Department.
Copy to the Weekly Gazette.

20

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Subj:- Control over private Forest Survey No.40 of Kallapur, Taluka - Kalghatgi, District - Dharwar.

ORDER No: AFD 40 FAR 64

BANGALORE, DATED: SEPTEMBER 1964.

Read:-

1. Letter No.D6.Cl.24963/63 dated 13-3-1964 from the Chief Conservator of Forests in Mysore, Bangalore.

Preamble:-

The Chief Conservator of Forests has reported that S.No.40 of Kallapur village, Kalghatgi taluk, Dharwar Dist., was notified under section 35(1) of the Indian Forest Act., 1927 by the erstwhile Bombay Government under No.FNF.2355/ 42-21-J dated 31-1-1955. The owner of the S.No.Sri Gangappa Nagappa Tirlapur of Begur now requests for withdrawal of the Notification and allow him to cultivate the land. It is also reported that the total area of the S.No.is 13-36-0 acres and the same is surrounded on all two sides with malki lands which are under cultivation. In about 2 or 3 acres, there is sparse tree growth and the remaining area is barren and is fit for cultivation.

The Chief Conservator of Forests has requested to cancel the Notification under section 35(1) of the Indian Forest Act issued by the Bombay Government.

O R D E R.

In view of the recommendations made, Government are pleased to cancel the Notification under section 35(1) of the Indian Forest Act issued by the erst-while Bombay Government.

The Chief Conservator of Forests is directed to take further action in the matter.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE,

T. S. Ramaiya

(T.S. Ramaiya)
Under Secretary to Government,
Agriculture & Forest Department.

To
The Chief Conservator of Forests, B'lore (with accompaniments)
The Deputy Commissioner, Dharwar/ The Revenue Department.
Copy to the Weekly Gazette.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

21

Sub:- Control over private Forest Survey No.40 of Kallapur, Taluka - Kalghatgi, District - Dharwar.

ORDER NO: AFD 40 PAR 64

BANGALORE, DATED: SEPTEMBER 1964.

Read:-

1. Letter No.BG.Cl.26803/63 dated 13-9-1964 from the Chief Conservator of Forests in Mysore, Bangalore.

Preamble:-

The Chief Conservator of Forests has reported that S.No.40 of Kallapur village, Kalghatgi taluk, Dharwar Dist., was notified under section 35(1) of the Indian Forest Act., 1927 by the erstwhile Bombay Government under No.PRF.2355/ 42-21-J dated 31-1-1955. The owner of the S.No.Sri Gangappa Nagappa Tirlapur of Begur now requests for withdrawal of the Notification and allow him to cultivate the land. It is also reported that the total area of the S.No.is 13-36-0 acres and the same is surrounded on all two sides with malki lands which are under cultivation. In about 2 or 3 acres, there is sparce tree growth and the remaining area is barren and is fit for cultivation.

The Chief Conservator of Forests has requested to cancel the Notification under section 35(1) of the Indian Forest Act issued by the Bombay Government.

O R D E R.

In view of the recommendations made, Government are pleased to cancel the Notification under section 35(1) of the Indian Forest Act issued by the erst-while Bombay Government.

The Chief Conservator of Forests is directed to take further action in the matter.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE,

J. S. Ramaiya

(J.S.RAMAIYA)

Under Secretary to Government,
Agriculture & Forest Department.

To
The Chief Conservator of Forests, B'lore (with accompaniments)
The Deputy Commissioner, Dharwar/ The Revenue Department.
Copy to the Weekly Gazette.